

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

WA.No. 635 OF 2007()

AGAINST THE JUDGEMENT IN WPC.4598/2007 Dated 21/02/2007

APPELLANT: PETITIONER

SANTHAMMA JOHN, AGRICULTURAL ASSISTANT,
KRISHI BHAVAN, WEST KALLADA, KOLLAM.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:

1. THE DIRECTOR OF AGRICULTURE,
DIRECTORATE OF AGRICULTURE, THIRUVANANTHAPURAM.
2. THE PRINCIPAL AGRICULTURAL OFFICER,
KOLLAM.
3. THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, WEST KALLADA, KOLLAM.
4. THE SECRETARY, WEST KALLADA GRAMA
PANCHAYATH, WEST KALLADA, KOLLAM.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 09/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.R. RAMAN & ANTONY DOMINIC, JJ.

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W.A. (C) NO. 635 OF 2007

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DATED THIS, THE 9TH DAY OF MARCH, 2007.

J U D G M E N T

Raman, J.

Appellant is the petitioner in W.P.(C) 4598/2007. She was transferred from West Kallada, Krishi Bhavan to Klappanna Krishi Bhavan, by Ext.P2 order, against which she preferred the above said writ petition. The learned Single Judge, after referring to the materials on record, held that the the recitals contained in Ext.P2 order that the transfer has been ordered in public interest has basis and accordingly, the writ petition was dismissed.

2. Even though the appellant has contended that the transfer was really based on a complaint Ext.P4, we have gone through Ext.P4 and found that there is no allegation raised against the petitioner. In such circumstances, it cannot be said that Ext.P2 is punitive in nature. In such circumstances, the jurisdiction of this Court is very limited and the learned Single Judge having declined to interfere with the order of transfer, we do not find any good reasons to interfere with the same. The appeal is liable to be dismissed. We do so.

3. However, the learned counsel for the appellant submits that the appellant has already preferred a representation, Annexure I, before the second respondent seeking re-transfer on compassionate ground. Even though the appellant was transferred by Ext.P2 order, the second respondent shall duly consider the representation and dispose of the same expeditiously.

P.R. RAMAN,
(JUDGE)

ANTONY DOMINIC,
(JUDGE)

knc/-